	Application No.	Applicant(s)
Notice of Allowability	09/557,878	JENSEN, MIKE
	Examiner	Art Unit
	Beth Van Doren	3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the after final amendment of 03/31/05*.

2. ☒ The allowed claim(s) is/are *12*.

3. ☒ The drawings filed on *24 April 0200* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Romain Jeanty
ROMAIN JEANTY
PRIMARY EXAMINER

Art Unit 3623

DETAILED ACTION

1   The following is a response to the after final amendment received 03/31/05. By this after

final amendment, claims 4, 10, and 11 have been canceled and claim 12 has been added. Claim

12 is pending and allowable. Therefore, the after final amendment has been entered and the

following response includes an examiner's amendment and reasons for allowance. The

allowance of claim 12 is subject to a terminal disclaimer received 11/19/2003.

Examiner's Amendment

2.   An examiner's amendment to the record appears below. Should the changes be

unacceptable to the applicant, an amendment may be filed as provided by 37 CFR 1.312. To

ensure consideration of such an amendment, it MUST be submitted no later than the payment of

the issue fee.

In the specification:

In line 6 of page 1, the following will be added:

"INFORMATION filed on July 19, 1996, now U.S. Patent 6,065,000, which claims

priority from U.S. Provisional Patent"

Reasons for Allowance

3.   Claim 12 is allowed.

4.   The following is an examiner's statement of reasons for allowance: None of the prior art

of record, taken individually or in any combination, teach, inter alia, a system database including

a plurality of defined lists of entries for selected variables and a plurality of defined formats for

selected incident reports including an OSHA report 200 and creating an incident report by

selecting this defined format to produce the report on computer output medium.

The prior art references most closely resembling the Applicant's claimed invention are

Garber et al. (U.S. 5,752,054), Sturgeon et al. (U.S. 5,664,112), and "Information Systems Beef

up Analysis of Risk and Benefits" (Business Insurance).

First, Garber et al. teaches a database used with a workplace protection program that

allows a user to audit the data contained therein. Garber et al. discusses efforts made with

regards to software for creating and maintaining databases concerning employee records and

occupational safety as well as software that assists in the filling out of forms required by the

government for reporting employee injuries. Garber et al. further discusses integrating these

software applications. Finally, Garber et al. discusses OSHA reports. However, Garber et al.

does not specifically teach or discuss a database including a plurality of defined formats for

selected incident reports, the formats including an OSHA report 200, and using this defined

format to create an incident report.

Second, Sturgeon et al. discloses a hazardous waste management system that tracks

different aspects of waste materials in the workplace and stores the information gained in a

database. A variety of reports can be produced for internal and regulatory purposes. The system

includes a Human Resource Management component that monitors employee medical

information and employee accident/illness reports. The system is useable with an OSHA 200

form. However, Sturgeon et al. does not expressly discloses the steps of creating an incident

report including selecting a defined format and producing the report on computer output

medium.

Third, "Information Systems Beef up Analysis of Risk and Benefits" discloses software

with a reporting database, an OSHA file, and a personal data base. When an injury occurs to a

worker, the injury information is immediately entered into the personal database. This

information is transferred to an OSHA file, along with other personal information such as the

employee's address, history with the company, etc. These files are used for later reports.

However, "Information Systems Beef up Analysis of Risk and Benefits"does not specifically

teach or discuss a database including a plurality of defined formats for selected incident reports,

the formats including an OSHA report 200, and using this defined format to create an incident

report.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement for Reasons for

Allowance".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Kern (U.S. 6,604,080) discloses a system concerning employee compensation for injuries

sustained at work.

Sturgeon et al. (U.S. 5,726,884) discloses an integrated approach for management

activities for hazardous substances used or generated at a facility, including form generation and

compliance with the reporting requirements.

Barber et al. (U.S. 5,893,070) teaches a system with employee records including name, social security number, illness/injury records, etc.

Tipton et al. (U.S. 6,097,995) discloses OSHA reports and employees that come in contact with hazardous materials.

Nakano (JP 57028370) discloses a system to prevent injuries in workers.

"New Versions of Abra 2000 Human Resource Software Keeps Track of OSHA" (News Release) teaches software that automates record keeping and produces OSHA 200 logs.

Blotzer ("OSHA RecordKeeping and Worker's Compensation") discloses software packages with the ability to create reports and track different factors.

Morris ("Work Injuries, illnesses also watched by OSHA") discloses OSHA 200 logs and the data contained therein.

Ness ("'Number-Crunching' Software Persuades management to expand safety budget") teaches computer aided incident data analysis software that is a tool for management when analyzing worker data, such as that contained in an OSHA 200.

Chen et al. ("An ergonomic analysis system for laundry industries") discloses an analysis system that can prepare OSHA 200 and 101 forms.

Wrench ("Software Review: MicroHealthware-Corporate Health Resources, Inc.") teaches an occupational health system that includes agent and exposure data to complete evaluations.

"Integrated Compliance Software for Employee Records" (News Release) discloses a system for tracking, monitoring, and reporting worker illness/injury data.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 305-7687 for regular

communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 308-1113.

bvd

April 19, 2005

ROMAIN JEANTY
PRIMARY EXAMINER

Art Unit 3623